UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/025,471	12/26/2001	Akihide Oshima	01USFP716	2985

466	7590	12/16/2005

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EXAMINER
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ART UNIT	PAPER NUMBER
2622	

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 September 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8,12-15,18 and 19* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,12-15,18 and 19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some *   c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 9/22/05, and has been entered and made of record. Currently, **claims 1-8, 12-15, 18, and 19** are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-8, 12-15, 18, and 19** are rejected under 35 U.S.C. 102(e) as being anticipated by Chang *et al.* (U.S. Patent Number 6,947,995).

Regarding *claim 1*, Chang discloses an in-net printing system (see Fig. 1) comprising a portable terminal connected to a network (information apparatus 100, column 8, lines 30-39), a printer system connected to the network (output device 106), and a network server system connected to the network (content server 114, column 8, lines 12-29), wherein the portable terminal obtains a read data from the network server system and outputs a print request to the printer system to print the read data (column 8, lines 12-29, and column 9, line 39-column 10, line 10), the print request comprising an order command data composed of a print command data, an identification and password and an internet address data identifying an internet URL

location where the read data is located and at the same time, transmits the identification and

password and the address data through the network to the network server system (column 5,

lines 20-52, column 7, lines 7-67, and column 10, line 11-column 11, line 17), the printer system

outputs a transfer request to the network server system in response to the print request (column 7,

lines 7-67, and column 10, line 11-column 11, line 17), the network server system outputs the

reads data to the printer system (column 10, line 11-column 11, line 17), based on the transfer

request, and the printer system prints the read data, when receiving the read data (column 11,

lines 18-67).

Regarding *claim 2*, Chang discloses a method of a charging-type in-net printing

comprising the steps of obtaining a read data by a portable terminal (information apparatus 100,

column 8, lines 30-39) from the network server system connected to a network (content server

114, column 8, lines 12-29, and column 9, line 39-column 10, line 10), outputting a order

command data showing a request for printing the read data from the portable terminal to a printer

system (column 7, lines 7-67, and column 10, line 11-column 11, line 17) and also outputting the

order command data from the portable terminal to the network server system (column 7, lines 7-

67, and column 10, line 11-column 11, line 17), obtaining a printable data, that the read data is

converted by the network server system for the printer system, from the network server system,

based on the order command data (column 10, line 11-column 11, line 17), and printing the

printable data by the printer system (column 11, lines 18-67), wherein, a printing fee is charged

based on the order command data sent by the portable terminal to the network server system (see

Fig. 9F, column 27, lines 3-45, and column 33, line 53-column 35, line 8).

Regarding *claim 3*, Chang discloses the method discussed above in claim 2, and further

teaches that the portable terminal connects to the network by a wireless communication (column

8, lines 21-64).

Regarding *claim 4*, Chang discloses the method discussed above in claim 3, and further

teaches that the portable terminal communicates with the printer system by a wireless

communication which is unnecessary to be admitted (column 8, lines 21-64).

Regarding *claim 5*, Chang discloses the method discussed above in claim 4, and further

teaches that the obtaining step comprises the steps of outputting a transfer command data

showing a request for sending the read data from the printer system to the network server system

(column 9, line 39-column 10, line 10), based on the order command data, converting the read

data into the printable data by the network server system (column 10, line 11-column 11, line

17), based on the transfer command data, and outputting the printable data from the network

server system to the printer system (column 11, lines 18-67).

Regarding *claim 6*, Chang discloses the method discussed above in claim 5, and further

teaches that the order command data includes an address data showing an address of the read

data (column 7, lines 7-67, and column 10, line 11-column 11, line 17).

Regarding *claim 7*, Chang discloses the method discussed above in claim 6, and further

teaches that the transfer command data includes the address data and a printer ID data which

shows an address of the printer system and languages usable for the printer system (column 7,

lines 7-67, and column 10, line 11-column 11, line 17).

Regarding *claim 8*, Chang discloses the method discussed above in claim 7, and further

teaches that the outputting step comprises the step of outputting a charging data used for a charge

to the portable terminal by the network server system and the address data to the network server

system, the order command data and the transfer command data further include the charging

data, the network server system charges to the portable terminal for the support of obtaining the

printable data (column 27, lines 3-45, and column 33, line 53-column 35, line 8).

Regarding *claim 12*, Chang discloses a printer system (see Fig. 1) comprising a non-

admitted wireless section which receives wireless print order command data, that shows a

request for printing read data obtained from a network server system located on the internet

(content server 114, column 8, lines 12-29, and column 9, line 39-column 10, line 10), the print

order command data comprising a print command data, an identification and password and an

internet address data identifying an internet URL location where the read data is located, a

network connection section which is connected to the network server system (column 5, lines 20-

52, column 7, lines 7-67, and column 10, line 11-column 11, line 17), transfers a transfer

command data showing a request for sending a printable data that the print data is converted by

the network server system and receives the printable data (column 10, line 11-column 11, line

17), based on the order command data, and a printer apparatus body (output device 106) which

prints the printable data (column 11, lines 18-67).

Regarding *claim 13*, Chang discloses the system discussed above in claim 12, and further

teaches that the order command data, which includes a print command data and an address data

showing an address of the read data, is transferred by a wireless communication which is

unnecessary to be admitted (column 8, lines 11-64, and column 10, line 11-column 11, line 17).

Regarding *claim 14*, Chang discloses the system discussed above in claim 13, and further

teaches that the transfer command data includes the address data and a printer ID data showing

an address of the printer system and languages usable for the printer system (column 7, lines 7-67, and column 10, line 11-column 11, line 17).

Regarding *claim 15*, Chang discloses the system discussed above in claim 14, and further teaches that the order command data and the transfer command data further include a charging data used for charging for connection with the network server system (column 27, lines 3-45, and column 33, line 53-column 35, line 8).

Regarding *claim 18*, Chang discloses the method discussed above in claim 2, and further teaches that a network connection provider charges the printing fee to a user corresponding to the portable terminal (column 27, lines 3-45, and column 33, line 53-column 35, line 8), based on access data containing within the order command data sent from the portable terminal to the network server system, the access data comprising a user ID and password and address data of the network server system hosting the read data (column 7, lines 7-67, and column 10, line 11-column 11, line 17).

Regarding *claim 19*, Chang discloses the method discussed above in claim 2, and further teaches that the printing fee is charged to a user corresponding to the portable terminal, the printing fee being based on access data containing within the order command data sent from the portable terminal to the network server system (column 27, lines 3-45, and column 33, line 53-column 35, line 8), the access data comprising a user ID and password and address data of the network server system hosting the read data (column 7, lines 7-67, and column 10, line 11-column 11, line 17).

Conclusion

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this
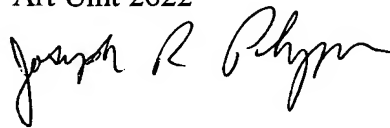
final action.

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The

examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2622

jrp